Fw

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,500	11/21/2001	John L. Wasula	79564APRC	3356

7590   12/28/2005

Thomas H. Close
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER
DANIELS, ANTHONY J

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10/03/2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The amendment, filed 10/3/2005, has been entered and made of record. Claims 1-32 are pending in the application.

2.   Applicant's amendment to claim 17 has overcome the examiner's objection.

Response to Arguments

3.   Applicant's arguments filed 10/3/2005 have been fully considered but they are not persuasive.

In regard to the arguments on p. 9, last paragraph, the examiner has attached a relevant portion of the specification of 09/187,706, which claims the filing date of 11/6/1998. On p. 7, Lines 7-10, Steinberg discloses a required access password for the user of the digital camera to prevent unauthorized use.

In regard to the arguments on p. 10, first paragraph, the examiner has not relied on Safai (US # 6,715,003) to meet the limitations of any claim in the office action dated 6/30/2005. The examiner apologizes for the error on p. 18, third paragraph, Line 2, where the Safai reference used for claim 25 was reported to be US # 6,715,003. In that rejection, it is evident that the only limitations of that claim, which are met by Safai (US # 6,167,469), are met in claim 21. Claim 21 was rejected under USC § 103(a) as being unpatentable over Safai (*US # 6,167,469*) in view Kuba.

In regard to the arguments on p. 11, third to fifth paragraph, p. 12, first paragraph, the examiner respectfully disagrees. In particular, applicant asserts that, "The Safai '469 reference fails to teach or suggest the above-noted limitations of claim 1. For example, Safai '469 fails to teach or suggest a plurality of customized profiles, each of which contains a plurality of image utilization fields, with selection of one of the profiles leading to association of a corresponding profile index with a particular captured image..." It is respectfully submitted that in the office action, dated 6/30/2005, on p. 4, Lines 5-7, the examiner has pointed out how elements "466" and "468" can be viewed as image utilization fields of a customized profile that identify instructions for utilization of one or more digital images by the external device. The To: "466" element represent instructions on which email account the computer is to retrieve the images. The Photos "468" represent which images the computer is to display upon email retrieval. The voice message "470" represents an instruction to the computer to play the voice message attached with the image(s). As for the delete after sending "472" element, the MPEP Section 2111 [R-1] states, "...During patent examination, the pending claims must be given their broadest reasonable interpretation ___consistent with the specification___..." Examiner refers to Figure 3A of the specification where, on Line 10, the ERASE AFTER TRANSFER field is shown. Furthermore, the examiner points to claim 8, where it is claimed, "...___the___ image utilization fields include a deletion field indicating whether ___the digital camera___ should delete the captured image from the storage means after storage of the captured image in the external device..."

The arguments on p. 13, second paragraph have been answered in the previous office action dated 6/30/2005 (p. 12, Lines 5-12).

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8.   Claims 1-5,8,11,16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Safai

(US # 6,167,469).

As to claim **1**, Safai teaches a digital camera (Figure 1) for capturing digital images

(Figure 2, image detector "202"; Col. 5, Lines 37-39) and organizing the captured images for

subsequent transfer (Figure 4F, photos: 1,4) from the digital camera (Col. 12, Lines 36-49) to an

external device (Col. 8, Lines 61-67) that utilizes the digital images (*A personal computer, that*

is used to check the email to which the images have been sent, can inherently utilize images for

display or a software image editing program such as Adobe Photoshop.), comprising:

(a) means for providing a database (Figure 4F, Col. 12, Lines 63-67; Col. 13, Lines 1,2,

"...Out Box is a data structure...") having a plurality of customized profiles (Figure 4F,

Col. 12, Lines 66,67; Col. 13, Lines 1,2), wherein each customized profile contains a

plurality of image utilization fields (Figure 4F, To: "466", Photos: "468", Voice

Message: "470", Delete Pictures after Sending "472"), the image utilization fields

identifying respective instructions for utilization of one or more digital images by the

external device (*To: "466" and Photos: "468" represent instructions on which photos*

the computer is to display and Voice Message "470" represent an instruction for the

computer to let the receiver of the images know there is a voice message to be heard.);

(b) means for selecting one of the plurality of customized profiles from the database (Col.

13, Lines 3-6);

(c) means for defining a plurality of profile indices respectively corresponding to ones of

the plurality of customized profiles (Figure 4F; *{The To: field is indicative of the name f*

the message ready to be transmitted.});

(d) an image sensor for capturing images (Figure 1, image detector "202"; Col. 5, Lines

37-39);

(e) means for associating a profile index with at least one captured image to identify the

corresponding selected customized profile (Figure 4F; *{The To: and Photos: fields are*

together in the same message.}).

(f) storage means for receiving and storing the at least one captured image and

the corresponding profile index (Col. 6, Lines 2-4; Col. 12, Lines 63-67; Col. 12, Lines

1,2; *{Examiner interprets storage means as any means for storage in the digital*

camera.}).

As to claim **2**, Safai teaches the digital camera according to claim 1 wherein the database

is a profile table (Col. 13, Lines 1-6, "...list of messages...").

As to claim **3**, Safai teaches the digital camera according to claim 1 wherein the storage

means is a removable memory card (Col. 6, Lines 2-4).

As to claim **4**, Safai teaches the digital camera according to claim 1 wherein a plurality of

captured images are associated with the same customized profile (Figure 1, Photos: 1,4

associated with the message of Figure 4F) and stored in the storage means (Col. 12, Lines 66,67;

Col. 13, Lines 1,2; Outbox).

As to claim **5**, Safai teaches the digital camera according to claim 1 wherein the database is stored in the digital camera (Col. 12, Lines 66,67).

As to claim **8**, Safai teaches the invention according to claim 1 wherein the external device receives the captured image from the digital camera (Col. 8, Lines 15-27) and wherein the image utilization fields include a deletion field indicating whether the digital camera should delete the captured image from the storage means after storage of the captured image in the external device (Figure 4F, Delete Pictures after Sending "474").

As to claim **11**, Safai teaches the digital camera according to claim 1 wherein the image utilization fields include a destination directory indicating a storage location in the external device for storing the corresponding captured image (Figure 4F, gwang@photoaccess.com).

As to claim **16**, Safai teaches a digital camera (Figure 1) for capturing digital images (Figure 2, image detector "202"; Col. 5, Lines 37-39) and organizing the captured images for subsequent transfer (Figure 4F, photos: 1,4) from the digital camera (Col. 12, Lines 36-49) to an external device (Col. 8, Lines 61-67) that utilizes the digital images (*A personal computer, that is used to check the email to which the images have been sent, can inherently utilize images for display or a software image editing program such as Adobe Photoshop.*), comprising:

(a) an image sensor for capturing a plurality of images (Figure 1, image detector "202"; Col. 5, Lines 37-39);

(b) storage means for storing the plurality of captured images (Col. 6, Lines 2-4);

(c) means for storing an image deletion mode for each stored image which indicates that such stored image is to be deleted from the storage means after such stored image is transferred to the external device (Figure 4F, Delete Pictures after Sending "472"; Col.

12, Lines 63-66), wherein the image deletion mode is stored as one of the plurality of

image utilization fields in a given one of a plurality of customized profiles (Col. 12, Lines

63-67; Col. 13, Lines 1,2), particular ones of the customized profiles being selectable for

use with one or more of the stored images (Figure 4F; *{Photos 1,4 are selected for*

deletion after sending.}); and

(d) a user interface (Figure 4A, top-level menu) for selecting a particular one of the

customized profiles (Col. 13, Lines 3-6), having the image deletion mode as one of the

image utilizations fields thereof, for at least one stored image (Col. 12, Lines 63-66),

wherein the particular one of the customized profiles is selected for the at least one image

by storing in association with the at least one image a corresponding profile index that

identifies said profile from among the plurality of customized profiles (Figure 4F,

"Photos: 1,4"; Col. 12, Lines 63-67; Col. 13, Lines 1,2; *{The To: field "466" can be*

thought of as a profile index, because the user can recognize that he/she intended to send

to that address and pick that one out of the list.}).

As to claim **17**, Safai teaches a digital camera (Figure 1) for capturing digital images

(Figure 2, image detector "202"; Col. 5, Lines 37-39) and organizing the captured images for

subsequent transfer (Figure 4F, photos: 1,4) from the digital camera (Col. 12, Lines 36-49) to an

external device (Col. 8, Lines 61-67) that utilizes the digital images (*A personal computer, that is*

used to check the email to which the images have been sent, can inherently utilize images for

display or a software image editing program such as Adobe Photoshop.); comprising:

(a) means for providing a profile table (Col. 12, Lines 63-67; Col. 13, Lines 1,2);

(b) means for customizing the profile table to provide a plurality of customized profiles (Col. 12, Lines 63-67; Col. 13, Lines 1,2; *{Each time a message is stored, another customized profile is created.}*), wherein each customized profile contains a plurality of image utilization fields (Figure 4F, To: "466", Photos: "468", Voice Message: "470", Delete Pictures after Sending "472"), the image utilization fields identifying respective instructions for utilization of one or more digital images by the external device (*To: "466" and Photos: "468" represent instructions on which photos the computer is to display and Voice Message "470" represent an instruction for the computer to let the receiver of the images know there is a voice message to be heard.*);

(c) means for selecting a customized profile from the customized profile table which corresponds to desired image utilization fields (Col. 13, Lines 3-6);

(d) means for defining a plurality of profile indices respectively corresponding to ones of the plurality of customized profiles (Figure 4F; *{Entering text in the To: field is indicative of the name of the message.}*);

(e) an image sensor for capturing images (Figure 1, image detector "202"; Col. 5, Lines 37-39);

(f) means for associating a profile index to at least one captured image to identify the corresponding selected profile (Figure 4F; *{The To: and Photos: fields are together in the same message.}*); and

(g) storage means for receiving and storing the at least one captured image and the corresponding profile index (Col. 6, Lines 2-4; Col. 12, Lines 63-67; Col. 12, Lines 1,2).

As to claim **18**, Safai teaches the digital camera according to claim 17 wherein the means

for customizing the profile table includes producing a new profile (Col. 12, Lines 63-67; Col. 13, Lines 1,2) having a different plurality of image utilization fields with at least one of the image utilization fields being different (*It is inherent that the deletion field could be checked or unchecked between messages.*).

As to claim **19**, Safai teaches the digital camera according to claim 17 wherein the means for customizing the profile table includes means for editing an existing profile to have a different plurality of image utilization fields (*It is inherent that the deletion field could be checked or unchecked between messages.*) with at least one of the image utilization fields being edited (*Voice messaged could be checked or unchecked between messages.*).

Claim Rejections - 35 USC § 103

9.   Claims 6,7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (see Patent Number above) in view of Anderson (US # 6,177,956).

As to claim **6**, Safai teaches the digital camera according to claim 1 wherein the external device is a storage device (*It is inherent a computer is a storage device.*). The claim differs from Safai in that it requires that the image utilization fields include an image format field indicating the format to be used for storage of the captured image in the storage device.

In the same field of endeavor, Anderson et al. teaches a utilization field that indicates the format to be used for storage of the captured image in the storage device (see Figure 8, Image Type "806", Col. 7, Lines 54-57). In light of the teaching of Anderson et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Safai to include a field, which indicates the type of format to store the

captured image. Such a modification would allow the user to choose a specific compression type conforming to memory, resolution, etc. constraints.

As to claim **7**, Safai teaches the invention according to claim 1 wherein the external device receives the captured image from the digital camera (Col. 8, Lines 15-27). The claim differs from Safai in that it requires the image utilization fields include a field designating user preferred software application stored in the external device adapted for utilizing the captured image.

In the same field of endeavor, Anderson et al. teaches an image utilization field that designates user preferred software stored in the external device adapted for utilizing the captured image. (see Figure 8, Image Type "806", *{The computer receives a JPG or TFF type of image file and utilizes software to read this type of compression and store the file in such compression.}*). In light of the teaching of Anderson et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Safai to include a user preferred software application for using the image. Such a modification would allow the computer to receive specific commands on how to utilize the image; thereby increasing speed of the process, and such a modification would allow the user to choose a type of application, which conforms to the demands of image processing that will eventually be used on the image.

As to claim **10**, Safai teaches the digital camera according to claim 1. The claim differs from Safai in that it further requires the image utilization fields include an identification field, which identifies the particular digital camera that captured the corresponding image.

In the same field of endeavor, Anderson et al. teaches an image utilization field, which can be used to identify the digital camera which captured the corresponding image (see Figure 8, Miscellaneous "834"; Col. 8, Lines 38-41, *{The miscellaneous field can include text which indicates the camera that took the picture.}*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image utilization fields of Safai to include an identification field. Such a field would allow certain pictures of a profile to be recognized as taken by a certain camera and give the user feedback on the quality of images taken by that particular camera.

10.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (see Patent Number above) in view of Safai (US 20030048361).

As to claim **12**, Safai ('469) teaches the digital camera of claim 1. The claim differs from Safai in that it requires flash EPROM in which the database is stored in the flash EPROM.

In the same field of endeavor, Safai ('361) teaches a memory card that is flash EPROM ([0065]). In light of the teaching of Safai ('361), it would have been obvious to one of ordinary skill in the art to include flash EPROM as the data structure "OUTBOX", because an artisan of ordinary skill in the art would recognize that this would allow the memory medium to retain the data stored a power outage or battery failure were to occur.

11.   Claims 13-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kuba (US # 5,806,072) in view of Roberts (US # 6,496,222).

As to claim **13**, Kuba et al. teaches a digital camera (see Figure 1) for capturing digital

images and organizing the captured images for subsequent transfer from the digital camera to an

external device (see Abstract, computer in Line 6) that utilizes digital images (see Abstract),

comprising:

a) an image sensor for capturing images (see Figure 2, image pick-up unit "2")

b) a storage means (see Figure 2, memory card "14")

c) a user interface (Figure 3) for selecting customized profiles (Figure 7, customized

profile; Col. 15, Lines 51-55)

d) a storage means for storing the at least one captured image (see Figure 2, memory card

"14"; Col. 14, Lines 57-61).

The claim differs from Kuba et al. in that it requires that the storage means contain a plurality of

software application identifiers which identify corresponding software application programs

which are resident on the external device, and are stored within customizable profiles, the user

interface selects one of the plurality of software application identifiers which identify

corresponding software application programs which are resident on the external device wherein

the selected one of the plurality of software application program identifiers being associated with

the at least one captured image by storing an identifier of the corresponding customized profile

with the at least one captured image, and a storage means for receiving the at least one captured

image and software application identifier, and for storing the software application identifier.

In the same field of endeavor, Roberts et al. teaches a storage means which contains a

plurality of software application program identifiers (see Figure 2A, data diskette "50", Format

Apple = 00, IBM = 01 "57") which correspond to software application programs resident on the

external device (*IBM (PC) and Apple (MAC) computers contain different software, which is what makes them fundamentally different. The program identifiers are stored with the image data (see FORMAT "57" with IMAGE DATA "53".*), a user interface for selecting the software application program identifiers (see Figure 6, switch "17"; Col. 4, Lines 61-64), and a storage means (see Figure 10, "PC") for receiving the at least one captured image and software application identifier (see Figure 14A, CPU "20"), and for storing the software application identifier (see Figure 10, "PC"; {*The digital image information, which includes the software application program identifiers as the format bits (see Figure 2A), is sent to the computer as can be seen from the flow diagram in Figure 10; whereupon, inherently that the information will be stored in the computer.*}). In light of the teaching of Roberts et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to include software application program identifiers in the storage means, modify the user interface of Kuba et al. to be able to select one of the plurality of software application programs, and include a storage means for receiving the at least one captured image and software application identifier, and for storing the software application identifier. The modification of including software application program identifiers would allow the user to avoid erroneous image transfer due to incompatibility with the right software application program (see Roberts et al., Col. 12, Lines 37-42). The user interface modification would allow for user friendliness and an assured quality transfer of images. The storage means modification allows the user to view images on a computer, which can perform more sophisticated image processing algorithms.

As to claim **14**, Kuba et al., as modified by Roberts et al., teaches the invention according to claim 13 wherein the external device (see Roberts et al., Figure 10, "PC") receives the at least

one captured image and the associated software application program identifier and invokes the

corresponding program identified by the software application program identifier to process the at

least one captured image in accordance with the corresponding software application program

(see Roberts et al., Col. 12, Lines 16-37; see Applicant's arguments above).

As to claim **15**, Kuba et al., as modified by Roberts et al., teaches the digital camera

according to claim 14 wherein the external device is a programmable computer (see Roberts,

Figure 10, "PC"; Col. 2, Lines 16-20).

12. Claims 9,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (see

patent Number above) in view of Steinberg et al. (US # 6,433,818).

As to claim **9**, Safai teaches the digital camera according to claim 1. The claim differs

from Safai in that it requires a user designated code for permitting only authorized access to the

selected customized profile.

In the same field of endeavor, Steinberg et al. teaches a digital camera requiring a

password to access a set number of images (Col. 9, Lines 14-24). In light of the teaching of

Steinberg et al., it would have been obvious to one of ordinary skill in the art to make the user

enter a password to access the customized profile of Safai, because an artisan of ordinary skill in

the art would recognize that this would prevent unauthorized user from tampering with private

images and to whom they are sent.

As to claim **20**, Safai teaches a digital camera (Figure 1) for capturing digital images

(Figure 2, image detector "202"; Col. 5, Lines 37-39) and organizing the captured images for

subsequent transfer (Figure 4F, photos: 1,4) from the digital camera (Col. 12, Lines 36-49) to an

external device (Col. 8, Lines 61-67) that utilizes the digital images (*A personal computer, that is*

used to check the email to which the images have been sent, can inherently utilize images for

display or a software image editing program such as Adobe Photoshop.), comprising:

> (a) means for providing a database having a plurality of customized profiles means for
>
> providing a database (Figure 4F, Col. 12, Lines 63-67; Col. 13, Lines 1,2, "...Out Box is
>
> a data structure...") having a plurality of customized profiles (Figure 4F, Col. 12, Lines
>
> 66,67; Col. 13, Lines 1,2), wherein each customized profile contains a plurality of image
>
> utilization fields (Figure 4F, To: "468", Photos "470", Voice Message "472", Delete
>
> Pictures after Sending "474");
>
> (b) means for selecting one of the plurality of customized profiles from the database (Col.
>
> 13, Lines 3-6);
>
> (c) an image sensor for capturing a plurality of images (Figure 1, image detector "202";
>
> Col. 5, Lines 37-39);
>
> (d) storage means for storing the plurality of captured images (Col. 6, Lines 2-4); and
>
> (e) a user interface (Figure 4A, top-level menu) for selecting a selected customized
>
> profile (Col. 13, Lines 3-6).

The claim differs from Safai in that it requires a user designated code corresponding to the

selected customized profile for permitting only authorized access to the selected customized

profile.

In the same field of endeavor, Steinberg et al. teaches a digital camera requiring a

password to access a set number of images (Col. 9, Lines 14-24). In light of the teaching of

Steinberg et al., it would have been obvious to one of ordinary skill in the art to make the user

enter a password to access the customized profile of Safai, because an artisan of ordinary skill in

the art would recognize that this would prevent unauthorized user from tampering with private

images and to whom they are sent.

13.   Claims 21-24,26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai

(see Patent Number above) in view of Kuba (5,806,572).

As to claim **21**, Safai teaches a method for transferring images stored in

a digital camera to an external device (Col. 8, Lines 61-67; *{External device is the computer that*

the email which contains the images is checked.}) having image transfer application software

(Col. 8, Lines 15-27), using a database having at least one customizable profile containing a set

of image utilization fields (Col. 12, 63-67; Col. 13, Lines 1-6), comprising the steps of:

(a) using the image transfer application software to serially transfer a plurality

of images to the external device (Col. 6, Lines 5-12; *{The data is inherently transferred*

digitally if it is transferred via telephone line.});

(b) accessing the set of image utilization fields (*The computer must access the email*

address to send the images to the correct email address.});

(c) modifying each transferred image file in the external device in accordance with the set

of image utilization fields (Figure 5, *{If a voice message is checked, the images are*

modified in that a voice message will be attached with them.}); and

(d) storing the modified transferred image file in a destination directory in the

external device defined by one of the image utilization fields (Figure 4F, To: "468").

The claim differs from Safai in that it further requires that the plurality of customized image profiles be stored in a removable memory card.

In the same field of endeavor, Kuba teaches a plurality of customized image files stored in a removable memory card (Figure 2, memory card "14"; Figure 7Col. 16, Lines 36-50). In light of the teaching of Kuba, it would have been obvious to one of ordinary skill in the art to include the ability of the camera of Safai to store the messages (see Safai, Figure 4F) in the memory card of Safai (Col. 6, Lines 2-4), because an artisan of ordinary skill in the art would recognize that the user would be able to still send the messages in another digital camera if the user's camera wasn't working properly.

As to claim **22**, Safai, as modified by Kuba, teaches the method according to claim 21 wherein the set of image utilization fields is stored on the external device (*It is inherent that the words gwang@photoaccess.com are stored in the external device.*).

As to claim **23**, Safai, as modified by Kuba, teaches the method according to claim 21 further including the step of editing the customizable profile in the external device (*After sending, it is inherent that the message is no longer available.*).

As to claim **24**, Safai, as modified by Kuba, teaches the method according to claim 21 wherein the image utilization fields include a deletion field and further including the step of deleting the modified transferred captured image in accordance with the deletion field from the removable memory card in the digital camera after storage of such image in the external device (see Safai, Figure 4F, Delete Pictures after Sending "474").

As to claim **26**, Safai, as modified by Kuba, teaches the method according to claim 21 wherein the external device includes a database and further including the step of updating the

camera database and the external device database before the captured images are transferred

from the digital camera to the external device so that both the camera database and the external

device database include the same profiles (see Safai, Col. 9, Lines 30-45).

As to claim **27**, Safai, as modified by Kuba, teaches a computer program product having

instructions therein for causing the external device to perform the method of claim 21 (see Safai,

Col. 8, Lines 15-27).

As to claim **28**, the limitations of claim 27 can be found in claim 21 (a). Therefore,

claim 27 is analyzed and rejected as previously discussed with respect to claim 21.

As to claim **29**, Safai, as modified by Kuba, teaches the method of claim 27 wherein the

database is stored in the digital camera (see Safai, Col. 12, Lines 66,67; Col. 13, Lines 1-6).

As to claim **30**, Safai, as modified by Kuba, teaches the method of claim 27 wherein the

database is stored in the external device (*The fields are inherently stored in the computer that*

checks the email.).

As to claim **31**, Safai, as modified by Kuba, teaches the method of claim 21. The claim

differs from Safai in that it requires the set of utilization fields include a filename suffix or

filename prefix appended to the camera filenames.

In the same field of endeavor, Kuba et al. teaches a filename suffix appended to the

camera filename (see Figure 60, suffix "J6C"). In light of the teaching of Kuba et al., it would

have been obvious to one of ordinary skill in the art to include a filename suffix appended to the

names of the camera filenames of the image files of Safai. Such modifications would allow for

the user to easily specify compression type; consequently, giving faster transmission of images.

As to claim **32**, Safai, as modified by Kuba, teaches the method of claim 21 wherein the external device is a network service provider (see Safai, Col. 6, Lines 5-19).

14.   Claim 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US # 6,175,003) in view of Kuba et al. (see Patent Number above) in further view of Roberts et al. (see Patent Number above).

As to claim **25**, Safai, as modified by Kuba et al., teaches a method according to claim 21. The claim differs from Safai, as modified by Kuba et al., in that it requires the image utilization files include an image editing preference application software field designating a software application stored in the external device and further including the step of applying the designated user preferred application software to the modified transferred captured image.

In the same field of endeavor, Roberts et al. teaches an image utilization field which includes an image editing preference application software field designating a software application stored in the external device and further including the step of applying the designated user preferred application software to the modified transferred captured image (see Figure 14A, "APPLE V1", "IBM V2"; Col. 12, Lines 16-35). In light of the teaching of Roberts et al., it would have been obvious to one of ordinary skill in the art to modify include in the image utilization fields of Safai, as modified by Kuba et al., an image preference application software field. The modification of including a software application program field would allow the user to avoid erroneous image transfer due to incompatibility with the right software application program (see Roberts et al., Col. 12, Lines 37-42).

Conclusion

15.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362.

The examiner can normally be reached on 8:00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dave Ometz can be reached on (571) 272-7593. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD
12/22/2005

DAVID OMETZ
SUPERVISORY PATENT EXAMINER